

ORDERED.

Dated: December 04, 2019



Caryl E. Delano
Chief United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION
www.flmb.uscourts.gov

In re:

JUST ONE MORE RESTAURANT CORP.,
and JUST ONE MORE HOLDING CORP.,¹

Debtors.

Case No. 9:19-bk-1947-FMD
(Jointly Administered with
Case No. 9:19-bk-1948-FMD)
Chapter 11 Cases

ORDER DENYING MOTION TO DISMISS

THESE CASES came before the Court on Monday, December 2, 2019 at 3:00 p.m. (the “Hearing”) in Tampa, Florida, on the *Motion to Dismiss* (Doc. 243 – the “Motion”) filed on November 12, 2019 by Gary Ganzi and Claire Breen, individually and as Attorneys-in-Fact for the Estate of Charles Cook and Hoguet Newman Regal & Kenney LLP (together, the “Movants”), the Debtors’ Response to the Motion (Doc. 259 – the “Debtors’ Objection”) filed on November 26, 2019, and the Movants’ Corrective Reply to the Debtors’ Objection (Doc. 262 – the “Reply”) (which superseded the original reply filed at Doc. 260) filed on November 29, 2019.

¹ The last four digits of each Debtor’s federal tax identification number are Just One More Restaurant Corp. (5070) and Just One More Holding Corp. (6081). The address of the Debtors is 8955 Fontana Del Sol Way, 2nd Floor, Naples, FL 34109.

The Court has jurisdiction over the matters raised in the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334(b). The consideration of the Motion and the relief requested therein is a core proceeding pursuant to 28 U.S.C. § 157(b). The Court previously determined that venue of these cases is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409. Due and proper notice of the Motion and the Hearing have been given and such notice was adequate, and no other or further notice need be provided.

The Court, having reviewed the Motion, the Debtors' Objection, the Reply, and the Hearing having been held, and for the reasons stated on the record at the Hearing, all of which are incorporated herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that:

1. The Motion is **DENIED**.
2. The Debtors' Objection is **SUSTAINED**.

(Christopher Andrew Jarvinen, Esq. is directed to serve a copy of this order on interested parties who are non-CM/ECF users and to file a proof of service within three days of entry of the order.)